



SECRETARIAT

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29 July 2013

## To the members of the Committee on Legal Affairs and Human Rights

### Synopsis of the meeting held in Strasbourg from 24-27 June 2013

The Committee on Legal Affairs and Human Rights, meeting in Strasbourg

- **on Monday 24 June 2013 at 2pm**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, took note of the lack of quorum and proceeded as regards:

(with Mr Chope, then Mr Conde (Spain, EPP/CD) in the Chair):

- ***Evaluation of the partnership for democracy in respect of the Parliament of Morocco*** (*Rapporteur: Mr Jordi Xuclà, Spain, ALDE*): considered a report tabled by the Committee on Political Affairs and Democracy and approved the Committee's opinion including four amendments to the draft resolution;

(with Mr Chope in the Chair):

- ***Other business:***
  - ***Seminar on ECHR training for staff of parliaments (Strasbourg, 12-13 September 2013) and Seminar for parliamentarians on Parliamentary Mechanisms and Structures for the supervision of the ECHR's judgments (London, 14 October 2013)***: took note of the training days organised by the Assembly's Projects Support Division;
  - ***Strengthening the protection and role of human rights defenders in Council of Europe member states***: agreed to the request of the Rapporteur (Ms Mailis Reps, Estonia, ALDE) to undertake fact-finding visits to Armenia, Azerbaijan and Georgia at the end of this year and to Moscow (Russian Federation) in 2014, subject to the availability of funds;
  - ***Sub-committee on Human Rights***: following the departure of Mrs Wohlwend from the Assembly, agreed to the appointment from the waiting list of Mr Triantafyllos (Greece, SOC) as full member and Mr Marias (Greece, EDG) as his substitute;
- ***National Security and Access to Information*** (*Rapporteur: Mr Arcadio Diaz Tejera, Spain, SOC*): considered a draft report and unanimously adopted a draft resolution and a draft recommendation;
- **on Tuesday 25 June 2013 at 8.30am**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - ***Refusing impunity for the killers of Sergei Magnitsky*** (*Rapporteur: Mr Andreas Gross, Switzerland, SOC*): held a general discussion on a draft report and decided to return to the matter at the Committee's next meeting on 4 September 2013 for the adoption of the draft resolution; invited all sides to submit further information in writing by the end of July. Agreed to declassify the draft report;

- **The European Convention on Human Rights: reinforcement and consolidation of the training of judges, prosecutors and lawyers** (*Rapporteur: Mr Jean-Pierre Michel, France, SOC*): considered an introductory memorandum, agreed to declassify this memorandum and agreed to invite four experts to a hearing on this topic at the September meeting, subject to the availability of funds;
- **Measures to prevent the abusive use of the Convention on the Transfer of Sentenced Persons (ETS No. 112)** (*Rapporteur: Mr Renato Farina, Italy, EPP/CD*): considered an introductory memorandum and noted that a new Rapporteur would need to be appointed following the departure of Mr Farina from the Assembly;
- **on Tuesday 25 June 2013 at 2pm**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - **Corruption as a threat to the rule of law** (*Rapporteur: Ms Mailis Reps, Estonia, ALDE*): considered and took position on 14 amendments to the draft resolution and draft recommendation;
  - **Appointment of rapporteurs:**
    - **Urgent need to deal with new failures to co-operate with the European Court of Human Rights:** appointed Mr Kimmo Sasi (Finland, EPP/CD);
  - **Replies from the Committee of Ministers to recommendations emanating from the Committee:** took note of the reply to the following recommendation: “Ensuring the viability of the Strasbourg Court: structural deficiencies in States Parties”;
  - **World Forum on Democracy:** took note of information concerning the forthcoming World Forum on Democracy on 27-29 November 2013 in Strasbourg;
  - **Other business:**
    - **Sub-Committee on the Election of Judges to the European Court of Human Rights:** took note of a letter from the Chairperson of the Sub-Committee to the President of the Assembly and of the Sub-Committee’s decision to declassify the report of its meeting held on 12 June 2013 in Paris;
  - **Human Rights in the North Caucasus**
    - **Human Rights in the North Caucasus: what follow-up Resolution 1738 (2010)?:** (*Rapporteur: Mr Michael McNamara, Ireland, SOC*): considered an introductory memorandum and then in the context of this report and of the report on **Strengthening the protection and role of human rights defenders in Council of Europe member States** (*Rapporteur: Ms Mailis Reps, Estonia, ALDE*) held an exchange of views with three lawyers from the North Caucasus:
      - Ms Sapiyat Magomedova, criminal defence lawyer from Dagestan
      - Mr Rustam Matsev, criminal defence lawyer from Kabardino-Balkaria
      - Mr Batyr Akhilgov, criminal defence lawyer from Karachaevo-Cherkessia

The Committee also authorized Mr McNamara to carry out a fact-finding visit to the region and to organize another hearing at a future Committee meeting, subject to availability of funds.
- **Next meetings:** confirmed the meetings to be held at the end of the year on 6<sup>th</sup> November 2013 and 12 December 2013;
  - Plenary Committee:**
    - Paris, 4 September 2013 (Council of Europe Office)
    - Strasbourg, during the Assembly’s 4<sup>th</sup> part-session of 2013 (30 September – 4 October 2013)
    - Paris, 6 November 2013 (Council of Europe Office)
    - Paris, 12 December 2013 (Council of Europe Office)

*Sub-Committee on the election of Judges to the European Court of Human Rights:*

- Paris, 3 September 2013 (Council of Europe Office)
  
- **on Thursday 27 June 2013 at 9.30am**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - **Sub-Committee on Human Rights:** heard a report by the Chair of the Sub-Committee, Mr Kimmo Sasi (Finland, EPP/CD), regarding the Sub-Committee's meeting held in Strasbourg on 26 June 2013, and endorsed the proposals of the Sub-Committee concerning the lists of candidates to the European Committee for the Prevention of Torture (CPT) submitted by the parliamentary delegations of Austria, Denmark, the Republic of Moldova, Norway, and Ukraine;
  - **Revision of the European Convention on transfrontier television** (*Rapporteur: Mr James Clappison, United Kingdom, EDG*): considered a revised introductory memorandum and held an exchange of views as to the relationship with the European Union regarding transfrontier television with Mr Jan Kleijssen, Director of the Information Society and Action Against Crime Directorate (DGI), Council of Europe. Agreed to invite two experts for an exchange of views to the September meeting, subject to the availability of funds;
  
- **on Thursday 27 June 2013 at 2pm**, with Mr Christopher Chope (United Kingdom, EDG), in the Chair, as regards:
  - **Keeping political and criminal responsibility separate** (*Rapporteur: Mr Pieter Omtzigt, Netherlands, EPP/CD*): considered and took position on five amendments to the draft resolution, noting that three others would be withdrawn;
  - **Joint hearing with the Committee on Political Affairs and Democracy on "Implementation of the Strasbourg Court judgments: the parliamentary dimension"**: held a hearing with a presentation by:

Mr Philip Leach, Professor of Human Rights, Middlesex University, London  
Ms Alice Donald, Senior Research Fellow at the Human Rights and Social Justice Research Institute, Middlesex University, London

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**The Sub-Committee on Human Rights** (of the Committee on Legal Affairs and Human Rights), meeting in Strasbourg on 26 June 2013 at 2pm, with Mr Kimmo Sasi (Finland, EPP) in the Chair, as regards:

- **European Committee for the Prevention of Torture (CPT):** considered and approved its recommendations for the list of candidates to the CPT in respect of Austria, Denmark, the Republic of Moldova, Norway, and Ukraine; noted that the list presented in respect of the Netherlands was withdrawn.
- **Next meeting:** during the October 2013 part-session.

Andrew Drzemczewski, Günter Schirmer, Agnieszka Szklanna, Aline Usanase, Matthieu Birker

cc: Secretary General of the Assembly  
Director General, Directors and all staff of the Secretariat of the Assembly  
Secretaries of National Delegations and of Political Groups of the Assembly  
Secretaries of observer and partner for democracy delegations  
Secretary General of the Congress  
Secretary to the Committee of Ministers  
Directors General  
Director of the Private Office of the Secretary General of the Council of Europe  
Director of the Office of the Commissioner for Human Rights  
Director of Communication  
Permanent Representations to the Council of Europe